

**WRITTEN DESCRIPTION**  
**Kernan Boulevard III PUD**  
**July 7, 2020**  
**Exhibit D**

**I. PROJECT DESCRIPTION**

The fee simple owner of the real property identified in the attached Exhibit A, RE# 165265-0405 (the "Property"), which contains approximately 2.34 acres, is currently zoned PUD (Ord. 2014-490-E) and designated CGC (Ord. 2005-544-E) and was originally intended for commercial purposes. The original PUD was a multi-use PUD, permitting the development of the front as commercial and the remainder, approximately 9.27 acres as a single-family subdivision. The subdivision is complete and is not a component of this new PUD. Rather, the demand for certain commercial activities has increased in this area and the developer now seeks to amend the PUD, applicable only to the 2.34-acre commercial portion, to permit additional uses.

The Property is located along the east side of Kernan Boulevard and is bounded by a regional shopping center on the west and north sides. On the east side a newly developed single-family residential community, which was a part of this original PUD has been completed. To the south and wrapping the original PUD boundary is a multi-family residential development, encompassing about 118 acres and having been developed with approximately 3,000 units.

The applicant has not utilized any design professionals for the preparation of this application. The parcel is partially developed with a multi-tenant retail center on the northern one-third of the property. The balance of the site does not include significant or unique characteristics, variation of elevations or natural features.

The revised PUD will permit the list of Permitted Uses to be expanded to include automotive service type facilities such as tire stores, oil change stations and light auto repair uses. The additional potential users of the property would be required to locate their buildings in a manner that prohibits the bay doors from being oriented toward the adjacent right-of-way, or toward the residential development to the east. In this manner, the activities would be contained indoors and not directly visible from the east/west orientation. The site is encumbered with a 150 foot powerline easement that prohibits buildings being located forward of the line as established to the north and south of the property. Therefore, the available land for commercial development is curtailed and a Void Analysis of the area demonstrates a deficiency in these types of uses with the closest being about two miles away in either direction along Atlantic Boulevard.

The site is an infill location, being surrounded by densely developed residential activity to the south and east and intensive community commercial to the north and west. Thus, these proposed additional uses would offer convenience to the more than Twelve-Thousand residents who live in a one-mile radius, while reducing Vehicle Miles Traveled (VMT) along the Atlantic and Kernan Boulevard corridors. In exchange for these additional uses, all references to residential or institutional uses are stricken from this PUD Rezoning Application.

The Property is to be operated and used in accordance with the terms and limitations of this PUD ordinance and its supporting exhibits, as a retail development limited to not more than 21,000 square feet of enclosed area and occupying not more than 2.42 acres, to be developed in consonance with the goals and objectives of the Community General Commercial land use category of the City of Jacksonville 2030 Comprehensive Plan Future Land Use Element. It is the intent of the developer to commence design as soon as possible after zoning approval. Similarly, construction would also be intended to commence immediately upon approval of the zoning and engineering entitlements. All future maintenance and operations will be the sole responsibility of the land owner(s), in compliance with the Municipal Ordinance for the City of Jacksonville and this PUD.

## II. USES AND RESTRICTIONS

The Property currently consists of one parcel but may be further divided as depicted on the attached site plan (Exhibit E) dated January 6, 2020 (the “Site Plan,” which is incorporated herein by this reference.

### A. Permitted Uses:

1. Commercial retail uses such as
  - i. Commercial retail sales and service establishments
  - ii. Banks, including drive thru tellers, savings and loan institutions and similar uses
  - iii. Professional and business offices and clinics
  - iv. Art galleries, museums, gymnasiums, community centers, dance, art or music studios
  - v. Vocation, trade or business schools and similar uses
  - vi. Day care centers
  - vii. An establishment or facility which includes the retail sale and service of beer or wine for on-premises conjunction with a restaurant
  - viii. Express or parcel delivery offices and similar uses, without terminals
  - ix. Veterinarians and animal boarding, subject to the performance standards and development criteria set forth in Part 4 of the Zoning Code.
  - x. Retail outlets for the sale of used wearing apparel, toys, books, luggage, jewelry, cameras, sporting goods, home furnishings and appliances, furniture and similar uses

- xi. Outside retail sales of holiday items, subject to the performance standards and development criteria set forth in Part 4 of the Zoning Code.
- xii. Automotive related service activities such as tire replacement and repair, oil changes and light automotive repairs, conducted indoors only and buildings must orient any bay doors to the north or south only.

All above uses consistent with the site development standards established herein and as depicted on the Site Plan attached to this application (Exhibit “E”).

**B. Permissible uses – Commercial uses permissible by exception shall include the following:**

- i. An establishment or facility which includes the retail sale and service of all alcoholic beverages including liquor, beer or wine for on-premises consumption or off-premises consumption or both.
- ii. Permanent or restricted outside sale and service, meeting the performance standards and development criteria set forth in Part 4.
- iii. Restaurants with the outside sale and service of food meeting the performance standards and development criteria set forth in Part 4.
- iv. Billiard parlors.

**C. Accessory uses shall be as outlined in the Zoning Code and consistent Section 656.403 of the Zoning Code.**

**III. DEVELOPMENT STANDARDS**

*A. Dimensional Standards.*

1. *Minimum parcel area and yard areas:* The minimum lot size, lot width and yard areas for structures shall be as follows:

Lot Size – minimum of 10,000 square feet

Lot Width – minimum of 70 feet

Yards –

Front: 100 feet

Side: 0 feet; except that any development on the southerly portion of the site shall provide a 60-foot southerly side yard area.

Rear: 30 feet

2. *Maximum parcel or sub-parcel coverage by all buildings and structures: 40%*
3. *Maximum height of structures: thirty (30) feet.*

*B. Ingress, Egress and Circulation.*

1. Vehicular ingress and egress shall be substantially as shown on the Site Plan.

*C. Signs.*

1. The number, location and height of signage to be located on the property shall be as follows:

One double faced monument sign not to exceed (100) one-hundred square feet in area and (20) twenty feet in height may be permitted along Kernan Boulevard.

Illumination: Internal or indirect lighting, will be permitted as appropriate.

*D. Site Design and Landscaping.*

Development of any building that is to be utilized for permitted auto related uses shall be oriented in a manner that prohibits bay doors from being located on the east or west side of any structure.

1. As the intent of the PUD is to promote the capture of area residents, providing necessary services to the immediate population and reducing VMT for such services, it is imperative that adequate signage be afforded to the various uses in effort to appropriately direct the patrons to their destinations. Similarly, as the immediately adjacent uses are not typically complimentary, the structures are to be located in such a way as to promote natural attenuation of noise and activity away from one another. While the typical commercial activity will be oriented toward Kernan Boulevard, away from the other uses, any automotive related use shall be oriented from north to south, with no bay doors facing east or west. Additionally, a screen wall has been erected and will continue to be utilized in lieu of the standard uncomplimentary buffer provisions of Part 12 of the Zoning Code.
2. Lighting associated with any use of this PUD will be of a design that does not permit trespass lighting onto adjacent properties. Furthermore, all lighting will utilize either appropriate lenses or cutoffs as required.

*E. Building Orientation*

*1. General:*

The subject property is to be utilized as a commercial retail and service development, permitting both commercial and automotive service uses. The primary structures in the commercial portion of the site are situated to block noise associated with Kernan Boulevard as well as the more intensive uses currently developed to the West.

More specifically, any automotive related use to be operated on this property shall be designed and constructed in such a manner as to prohibit bay doors from facing the residential development to the east or the right-of-way to the west. Yard areas have been significantly increased to reduce impacts to all adjacent uses.

**IV. JUSTIFICATION FOR PLANNED UNIT DEVELOPMENT CLASSIFICATION FOR THIS PROJECT**

The proposed project is consistent with the general purpose and intent of the City of Jacksonville 2030 Comprehensive Plan and Land Use Regulations. The proposed rezoning is a reasonable manner by which to permit the infill of an undeveloped property for a variety of uses that will provide convenience to the area residents, while acting as a transition

between the commercial node located at Atlantic Boulevard and Kernan Boulevard and the varying types of residential which extend to the south and east of the Property. This PUD is designed to increase the usable nature of the property while promoting numerous Goals, Objectives and Policies of the 2030 Comprehensive Plan. Further, the development promotes a more marketable mix of uses that will act to reduce Vehicle Miles Traveled (VMT) for the residents in the vicinity. This PUD:

Is more efficient and effective than would be possible through strict application of the City of Jacksonville Land Use Regulations or a conventional zoning district which are suburban based, do not convey a sense of place, and which do not act to promote such a mix of uses;

Represents and appropriate combination of possible uses, properly designed to promote a logical transition between the established uses and a sustainable and desirable development pattern or an infill location;

Will promote the purposes of the 2030 Comprehensive Plan, including the following:

1. Objective 2.10
2. Goal 3
3. Objective 3.1
4. Objective 3.2
5. Policy 3.2.2
6. Policy 3.2.4
7. Policy 3.2.14
8. Policy 4.1.2

## **V. SUCCESSORS IN TITLE**

All successors in title to the Property, or any portion of the Property, shall be bound to the conditions of this PUD.

## **VI. PUD REVIEW CRITERIA**

- A. *Consistency with Comprehensive Plan.* The Property is designated CGC pursuant to the City's Future Land Use Map Series of the City's 2030 Comprehensive Plan. The uses and amounts (intensity) proposed in the PUD would be consistent with this designation.

- B. *Consistency with the Concurrency Management System.* The development of the Property will comply with the requirements of the Concurrency Management/ Mobility System.
- C. *Allocation of Residential Land Use.* The proposed revision to the PUD is intended to separate it from the previous mixed-use development, being the previous PUD, and solely regulate the commercial development of the 2.42 acres.
- D. *Internal Compatibility/Vehicular Access.* Vehicular access to the site is available from Kernan Boulevard as well as from the connection road that is shared with the property to the north. All access points will be reviewed and approved by the City of Jacksonville.
- E. *External Compatibility/Intensity of Development.* The intent of the development is to permit additional uses, which would offer convenience and reduce VMT for the residents in the immediate vicinity, while seeking to reduce impacts to the residential developments to the south and east.
- F. The various uses will be appropriately screened from one another and structures will be oriented in a manner that will foster an appropriate transition as well as reduce externalities otherwise associated with such uses.
- G. *Recreation/Open Space.* The revised PUD does not include any recreation or open space areas.
- H. *Impact on Wetlands.* Any development activity which would impact wetlands will be permitted in accordance with local, state and federal requirements.
- I. *Listed Species Regulations.* Not Applicable.
- J. *Off-Street Parking & Loading Requirements.* The parking areas shall be developed as required in Part 6. It being the intent that the areas and locations depicted on the attached plan are sufficient to meet any or all of the required parking and landscape provisions.
- K. *Sidewalks, Trails, and Bikeways.* The development will be consistent with the 2030 Comprehensive Plan.

- L. *Stormwater Retention.* Stormwater shall be conveyed, treated and stored in accordance with all City of Jacksonville and St. Johns River Water Management District requirements to an already approved off-site location.
  
- M. *Utilities.* Electric power, water and sewer services are currently furnished to the Property by the Jacksonville Electric Authority.